

**REMARKS**

The Final Office Action dated August 2, 2006 contained a final rejection of claims 1-52. The Applicants have amended claims 1, 14, 18, 35 and 42. Claims 1-52 are in the case. Please consider the present amendment with the attached Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. This amendment is in accordance with 37 C.F.R. § 1.114. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-48 under 35 U.S.C. 103(a) as allegedly being unpatentable over Wolff (U.S. Patent No. 6,833,848) in view of Bhetanabhotla (U.S. Patent Publication No. 2002/0167538).

The Applicants respectfully traverse this rejection based on the amendments to the claims and the arguments below.

Specifically, the Applicants' independent claims now include searching for digital media elements in an external Internet database, automatically identifying digital media elements to be included in the multimedia presentation based on user defined criteria and similar digital media elements that were recorded contemporaneously, automatically placing the identified digital media elements on edit lines of a graphical timeline and overlapping the similar digital media elements on the edit lines and allowing the user to interactively manipulate the digital media elements on the edit lines of the timeline. Support for the newly amended claims can be found throughout the specification and at least in FIGS. 1-3 and paragraphs [0032] and [0041] - [0043] of the Application specification (U.S. Patent Publication No. 2004/0205479).

None of the cited references, in combination or alone, disclose, teach or suggest all of these features of the Applicants' newly claimed invention. For example, the combined references simply disclose computer software for, in general, storing, authoring and viewing forms of digital media (see of Abstract of Wolff) and organizing hierarchical information collections that are like virtual cabinets (see Abstract of Bhetanabhotla). Although the combined references disclose the arranging of media elements sequentially (see paragraph [0018] of Bhetanabhotla), the combined references are missing the newly amended feature of the Applicants' claimed invention.

Namely, the combined references are missing the Applicants' searching for digital media elements in an external Internet database and automatically identifying digital media elements to be included in the multimedia presentation based on user defined criteria and similar digital media elements that were recorded contemporaneously and automatically placing the identified digital media elements on edit lines of a graphical timeline and overlapping the similar digital media elements on the edit lines and allowing the user to interactively manipulate the digital media elements on the edit lines of the timeline.

Therefore, since the combined references are missing features of the Applicant's claimed invention, the combined references cannot render the Applicant's invention obvious. This failure of the cited reference to disclose, suggest or provide motivation for the Applicant's claimed invention indicates a lack of a *prima facie* case of obviousness and, thus, the rejections should be withdrawn (MPEP 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly invite the Examiner to telephone the Applicants' attorney at (818) 885-1575 if the Examiner has any questions or concerns. Please note that all correspondence should continue to be directed to:

Hewlett Packard Company  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

Respectfully submitted,  
William A. Fischer  
Dated: November 2, 2006

By   
Edmond A. DeFrank, Reg. No. 37,814  
Attorney for Applicant  
(818) 885-1575 TEL  
(818) 885-5750 FAX